

REMARKS

Claims 1-13 and 16 pending.

The Office Action relates only to an election of species requirement. The Examiner has required an election of a single species from the following groups: the nucleotide sequence 603-3871, 843-3871, 1232-3871, 1989-3871, 2937-3871, 843-3776, 1232-3776, 1989-3776, 2937-3776, of SEQ ID NO:1, or entire sequence of SEQ ID NO:1. The Examiner indicates that the species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept. The Examiner also indicated that currently there is no claim generic to the species.

Applicants hereby respectfully traverse the election of species requirement. All presently pending claims are based on a single general inventive concept under PCT Rule 13.1, i.e., an isolated polynucleotide recited in claim 1 that comprises "a nucleotide sequence comprising the nucleotide numbers 2937 to 3776 of SEQ ID NO:1." Claim 1 is generic to the species, because the nucleotide sequence of each of the species comprises "the nucleotide numbers 2937 to 3776 of SEQ ID NO:1."

Accordingly, withdrawal of the election of species requirement and examination of all pending claims 1-13 and 16 are respectfully requested.

In the event that the Examiner maintains the election of species requirement, Applicants hereby provisionally elect, with the foregoing traversal, the nucleotide sequence 2937-3776 of SEQ ID NO:1, which includes claims 1, 3-13 and 16, for examination.

Early substantive examination and a Notice of Allowance with respect to the examined claims are respectfully solicited.

Respectfully submitted,

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(Date)

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